

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

DEMETRIA POWELL, as guardian <i>ad</i>	)	
<i>litem</i> and on behalf of her son D.P. et al.,	)	
	)	
Plaintiffs,	)	
	)	Case No. 1:18-cv-06675
v.	)	
	)	Hon. Joan B. Gottschall
The State of Illinois et al.,	)	
	)	
Defendants.	)	

**JONT STATUS REPORT ON THE PARTIES' RULE 26(f) PLAN**

The parties have met pursuant to Rule 26(f), and submit this joint report.

***Position of defendants:*** The defendants State of Illinois will file a motion to stay discovery until the resolution of the Rule 12(b)(6) motion to dismiss.

***Position of plaintiffs:*** Plaintiffs seek discovery within the scope of Rule 26 and specifically propose the following:

- ***Subjects for discovery.*** Plaintiffs seek discovery on the defendants' policies with respect to their enforcement of the Dealer Licensing Act, the Gun Trafficking Information Act, and the Firearm Owner Identification Card, including development and implementation of such policies and the efficacy of those policies in limiting the exposure of the plaintiff children to gun violence from illegal gun trafficking and gun use. Plaintiffs seek discovery as to all defenses raised by defendants to liabilities. Plaintiffs seek discovery on the harm to the plaintiff class from the defendants' failure to take the enforcement actions that plaintiffs describe in the complaint. Plaintiffs seek discovery on the efficacy

of these enforcement actions in reducing the exposure of the plaintiff class to gun violence.

- ***Amendment of Pleadings.*** Plaintiffs seek a date of 60 days for amendment of pleadings, including the substitution of plaintiff D.P. who, along with his mother, has now moved to Milwaukee, Wisconsin. Under this Court's opinion of September 30, 2019, having left Chicago, she no longer is an appropriate plaintiff for purpose of prospective injunctive relief. Plaintiff D.W. whose mother and guardian *ad litem* is Shaniece Matthews will remain in the case as the plaintiff and proposed class representative.
- ***Modification of Discovery Rules.*** Plaintiffs seek to modify the limit on interrogatories from 25 to 30 to save possible deposition expenses. Plaintiffs seek no other modification and will seek to limit discovery costs.
- ***Dates for Fact and Expert Discovery.*** Plaintiffs seek six months for fact discovery. Plaintiffs seek three months for disclosure of experts and expert depositions.
- ***Dispositive motions.*** Plaintiffs seek to re-file the motion for class certification under Rule 23(b)(2) for injunctive and declaratory relief and propose to do so within 30 days from this Court's ruling on the motion to dismiss. Plaintiffs propose filing of dispositive motions by parties 45 days after the close of expert discovery.

\* \* \*

[signature blocks to follow]

Dated: October 26, 2021

Respectfully submitted,

/s/ Michael P. Persoon

One of Plaintiffs' Attorneys

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